

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
LAURENCE J. FEINBERG	)	File No. 415714
	)	Station WPUR333
Application to Construct and Operate	)	
A New Industrial/Business Pool Station,	)	
On 472.2625 /475.2625 MHz	)	
At Rancho Palos Verdes, California	)	

**ORDER**

**Adopted: April 27, 2004**

**Released: April 27, 2004**

By the Assistant Chief, Mobility Division, Wireless Telecommunications Bureau:

1. Laurence J. Feinberg filed the above-captioned application seeking authority to operate a Commercial Industrial/ Business Pool station in the Rancho Palos Verdes, California area. On April 17, 2002, the former Commercial Wireless Division granted the application, and assigned the station Call Sign WPUR333.<sup>1</sup> On April 1, 2003, Mobile Relay Associates (MRA) filed a petition seeking reconsideration of the grant of that application. In the alternative, MRA asks the Commission to initiate revocation proceedings against Feinberg's license for Station WPUR333 (Petition).<sup>2</sup>

2. According to MRA, the frequency coordination of Feinberg's application was defective because the channel, 472.2625/475.2625 MHz, in the Rancho Palos Verdes, California area was fully loaded to 90 units at the time Feinberg submitted the application.<sup>3</sup> While MRA's Petition was pending, and pursuant to a settlement agreement approved on April 15, 2004,<sup>4</sup> Feinberg voluntarily cancelled his license for Station WPUR333 on April 23, 2004.<sup>5</sup> We therefore dismiss MRA's Petition as moot.

---

<sup>1</sup> In late 2003, the Commission's Wireless Telecommunications Bureau was reorganized. Many of the mobile radio services licensing issues formerly under the Bureau's Commercial Wireless Division, including Part 90 Commercial Industrial/Business Pool (IK) operations, are now under the purview of the Bureau's Mobility Division. See FCC's Wireless Bureau Announces Reorganization, *Public Notice* (rel. Nov. 24, 2003).

<sup>2</sup> Petition for Reconsideration, or Alternatively, Petition for Initiation of Revocation Proceeding, filed by Mobile Relay Associates (Apr. 1, 2003). In its Petition, MRA argues that because of lack of notice, its filing is not late-filed under Commission rules. *Id.* at 1-4. We will not consider this argument because we are dismissing the Petition as moot.

<sup>3</sup> Petition at 4-6. Section 90.313 of the Commission rules provides, in relevant part, "(a) ... the maximum channel loading on frequencies in the 470-512 MHz band is as follows: ... (2) 90 units for systems eligible in the Industrial/Business Pool." 47 C.F.R. § 90.313(a)(2).

<sup>4</sup> See Wireless Telecommunications Bureau Approves Settlement Agreement and Directs Parties to Dismiss Pleadings Within 30 Days, *Public Notice*, DA 04-1031 (rel. Apr. 15, 2004) (approving a Settlement Agreement entered into on January 19, 2004, among MRA and Mobile Relay Associates, Inc., James A. Kay, Jr., and Laurence J. Feinberg).

<sup>5</sup> FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, FCC Form 601, File No. 0001709378 (Apr. 23, 2004).

3. Accordingly, IT IS ORDERED that, pursuant to Sections 4(i), 303(r), and 405 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r), 405, and Sections 0.331 and 1.106 of the Commission's rules, 47 C.F.R. §§ 0.331, 1.106, the Petition for Reconsideration, or Alternatively, Petition for Initiation of Revocation Proceeding, filed by Mobile Relay Associates on April 1, 2003, IS DISMISSED as moot.

FEDERAL COMMUNICATIONS COMMISSION

Cyndi Thomas  
Assistant Chief, Mobility Division  
Wireless Telecommunications Bureau